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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 ROBERT EARLE JOHNSON,

12 Plaintiff,

13 v.

14 RON VAN BOENING, *et al*,

15 Defendants.
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Case No. C08-5428FDB-KLS

SECOND ORDER REGARDING
SERVICE OF AMENDED
COMPLAINT ON DEFENDANTS
JOHNSON, NGETE AND
NARANJO

19 This matter comes before the Court on plaintiff's filing of a response (Dkt. #47) to the Court's order
20 requiring him to provide service forms and copies of the amended complaint for service on defendants Herb
21 Johnson, Lanette Ngete and Jolene Naranjo (Dkt. #42-2). After reviewing plaintiff's response and the record
22 in this case, the Court hereby finds and orders as follows:

23 On January 9, 2008, plaintiff filed an amended complaint (Dkt. #40), pursuant to the Court's order to
24 show cause that he do so (Dkt. #38). In its first order regarding service on defendants Johnson, Ngete and
25 Naranjo, the Court found that because service of the original complaint on those defendants was returned
26 unexecuted on August 11, 2008, plaintiff needed to provide the Court with a sufficient number of service
27 forms and copies of the amended complaint so that service could be attempted thereon. (Dkt. #42-2). As
28 pointed out by plaintiff in his response and agreed with by defendants, however, the Court previously had

1 found those three defendants had waived service. See (Dkt. #26, 48).

2 Accordingly, due to this oversight by the Court, the requirement that plaintiff submit service forms
3 and copies of the amended complaint for defendants Johnson, Ngete and Naranjo set forth the Court's prior
4 order regarding service thereon (Dkt. #42-2) hereby is RESCINDED.

5 The Clerk is directed to send a copy of this Order to plaintiff.

6 DATED this 10th day of March, 2009.

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10 Karen L. Strombom
11 United States Magistrate Judge
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